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The Board of Trustees of The Leland Stanford Junior  
University

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

The Board of Trustees of The Leland Stanford  
Junior University,

Plaintiff,

v.

Stanford Financial Group Company and Stanford  
Group Company,

Defendants.

No. 3:08-cv-04950 CRB

**STIPULATION AND ~~[PROPOSED]~~  
ORDER CONTINUING HEARING  
TO SHOW CAUSE, CONTINUING  
HEARING DATES ON PENDING  
MOTIONS, AND EXTENDING TIME  
TO RESPOND TO DEFENDANT  
STANFORD GROUP COMPANY'S  
COUNTERCLAIMS**

Hearing to Show Cause:  
Existing Date: May 29, 2009  
Stipulated Date: June 26, 2009  
Time: 10:00 a.m.  
Ctm: 8

Pending Motions:  
Existing Date: June 26, 2009  
Stipulated Date: July 24, 2009

Response to Counterclaims:  
Existing Date: June 12, 2009  
Stipulated Date: July 10, 2009

Hon. Charles R. Breyer

1 Pursuant to Civil L.R. 7-7(a) and the Court's Standing Order, all parties to this action, by  
2 and through their respective counsel of record, hereby stipulate as follows:

3 On March 25, 2009, the Court entered an Order to Show Cause requiring the Receiver  
4 appointed by the Northern District of Texas to exercise control and possession of the  
5 Defendants' assets (the "Receiver") to appear before the Court on April 24, 2009 to explain its  
6 contention that further proceedings in this action are barred and why this action should not  
7 proceed. Document No. 103. In addition, the Court directed the Receiver and the Plaintiff  
8 Stanford University ("Stanford") to file a Joint Case Management Conference Statement on or  
9 before April 17, 2009. On April 17, 2009, the Court entered an order granting the parties'  
10 request to continue the hearing to show cause from April 24 to May 29 and directing the parties  
11 to file the Joint Case Management Conference Statement on or before May 22, 2009. Document  
12 No. 106.

13 Since the Court entered the Order to Show Cause, Stanford and the Receiver have  
14 engaged in settlement discussions, have exchanged a proposed settlement agreement, and are  
15 working to finalize a resolution of this action. While the parties have been working diligently to  
16 reach a resolution and to finalize a settlement agreement, it is unlikely that a final agreement can  
17 be reached before the May 22, 2009 filing deadline for the Joint Case Management Conference  
18 Statement or the May 29, 2009 date for the hearing to show cause.

19 To provide the parties time to resolve their disputes, Stanford and the Receiver wish to  
20 continue the date of the hearing to show cause to June 26, 2009 and to continue the filing date for  
21 the Joint Case Management Conference Statement to June 19, 2009. Additionally, Stanford and  
22 the Receiver wish to reset the hearing dates for the Defendants' five pending motions, which are  
23 all currently set for June 26, 2009, to July 24, 2009, with opposition and reply dates to run from  
24 the later, re-scheduled date pursuant to Civil L.R. 7-3, to extend the time for Stanford to respond  
25 to Defendant Stanford Group Company's counterclaims from June 12, 2009 to July 10, 2009,  
26 and to extend the time for the Defendants to respond to pending discovery requests from June 5,  
27 2009 to July 3, 2009.

1 NOW THEREFORE, IT IS SO STIPULATED between the parties that there is good  
2 cause for the Court to enter an order resetting the date for the Hearing to Show Cause, which is  
3 currently set for May 29, 2009, to June 26, 2009.

4 IT IS FURTHER STIPULATED between the parties that there is good cause to enter an  
5 order resetting the filing date for the Joint Case Management Conference Statement, which is  
6 currently set for May 22, 2009, to June 19, 2009.

7 IT IS FURTHER STIPULATED between the parties that there is good cause for the  
8 Court to enter an order to reset the hearing dates for Stanford Financial Group Company's  
9 Motion to Dismiss in Part for Lack of Personal Jurisdiction (Doc. No. 57), Stanford Group  
10 Company's Motion to Dismiss the First Amended Complaint For Failure to State a Claim on  
11 Which Relief Can be Granted (Doc. No. 62), Stanford Financial Group Company's Motion for  
12 Judgment on the Pleadings and to Dismiss the First Amended Complaint (Doc. No. 66), Stanford  
13 Financial Group Company's Motion to Dismiss a Portion of the First Amended Complaint for  
14 Lack of Subject-Matter Jurisdiction (Doc. No. 74), and Stanford Financial Group Company's  
15 Motion for Partial Summary Judgment (Doc. No. 80), which are all currently set for June 26,  
16 2009, to July 24, 2009, with opposition and reply dates to run from the later, re-scheduled date  
17 pursuant to Civil L.R. 7-3.

18 IT IS FURTHER STIPULATED between the parties that there is good cause for the  
19 Court to enter an order extending the time for Stanford to respond to Stanford Group Company's  
20 counterclaims from June 12, 2009 to July 10, 2009.

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1 IT IS FURTHER STIPULATED that the time for the Defendants to respond to pending  
2 discovery requests is extended from June 5, 2009 to July 3, 2009.

3 DATED: May 20, 2009  
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5 Bingham McCutchen LLP  
6

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8 By: /s/ William F. Abrams

9 William F. Abrams  
Bingham McCutchen LLP

10 Attorneys for Plaintiff  
The Board of Trustees of The Leland  
11 Stanford Junior University

12 DATED: May 20, 2009  
13

14 Thompson & Knight LLP  
15

16 By: /s/ Jessica B. Magee

17 Jessica B. Magee  
Thompson & Knight, LLP

18 Attorneys for the Receiver for Defendants  
19 Stanford Financial Group Company and  
20 Stanford Group Company  
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**NOW THEREFORE, IT IS HEREBY ORDERED THAT** the Hearing to Show Cause, currently set for May 29, 2009, is re-scheduled for hearing at 10:00 a.m. in Courtroom 8 on June 26, 2009.

**IT IS FURTHER ORDERED THAT** a Joint Case Management Conference Statement, currently due to be filed on or before May 22, 2009, shall be filed on or before June 19, 2009.

**IT IS FURTHER ORDERED THAT** Stanford Financial Group Company's Motion to Dismiss in Part for Lack of Personal Jurisdiction (Doc. No. 57), Stanford Group Company's Motion to Dismiss the First Amended Complaint For Failure to State a Claim on Which Relief Can be Granted (Doc. No. 62), Stanford Financial Group Company's Motion for Judgment on the Pleadings and to Dismiss the First Amended Complaint (Doc. No. 66), Stanford Financial Group Company's Motion to Dismiss a Portion of the First Amended Complaint for Lack of Subject-Matter Jurisdiction (Doc. No. 74), and Stanford Financial Group Company's Motion for Partial Summary Judgment (Doc. No. 80), set for hearing on May 22, 2009, are re-scheduled for hearing at 10:00 a.m. in Courtroom 8 on July 24, 2009, with opposition and reply deadlines to be based on the re-scheduled date.

**IT IS FURTHER ORDERED THAT** the time for Stanford to respond to Defendant Stanford Group Company's counterclaims is extended from June 12, 2009 to July 24, 2009.

**IT IS FURTHER ORDERED** that the time for the Defendants to respond to pending discovery requests is extended from June 5, 2009 to July 3, 2009.

DATED: May 21, 2009

The Honorable Charles R. Breyer  
UNITED STATES DISTRICT COURT

